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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 MARK STEVEN VILLEGAS,

12 Petitioner,

13 v.

14 JAMES E. TILTON,

15 Respondent.

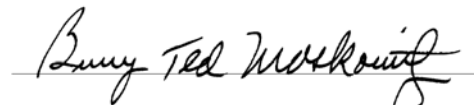
CASE NO. 07cv2035 BTM(BLM)

**ORDER DISMISSING PETITION
WITHOUT PREJUDICE**

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17 In an order filed on November 13, 2007, the Court denied Petitioner's request to
18 proceed in forma pauperis. The Court gave Petitioner until December 31, 2007 to pay the
19 \$5.00 filing fee or to submit adequate proof of his inability to pay the filing fee. To date,
20 Petitioner has not paid the filing fee or submitted proof of his inability to pay the filing fee.
21 Therefore, this case is **DISMISSED WITHOUT PREJUDICE**. The Clerk shall enter judgment
22 accordingly.

23 **IT IS SO ORDERED.**

24 DATED: April 28, 2008

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26 Honorable Barry Ted Moskowitz
27 United States District Judge
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